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D.C. FAMILY COURT

Operations and Case Management Have Improved, but Critical Issues Remain

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Education, Workforce, and Income Security Issues

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Highlights

Highlights of -GAO-04-685T, a testimony before the Chairman, Committee on Government Reform, House of Representatives

D.C. FAMILY COURT

Operations and Case Management Have Improved, but Critical Issues Remain

Why GAO Did This Study

The Family Court, established by the D.C. Family Court Act of 2001, was created in part to transition the former Family Division of the D.C. Superior Court into a court solely dedicated to matters concerning children and families. The act required the transfer of abuse and neglect cases by October 2003 and the implementation of case management practices to expedite their resolution in accordance with timeframes established by the Adoptions and Safe Families Act of 1997 (ASFA); a plan for space, equipment, and other needs; and that the Superior Court integrate its computer systems with those of other D.C. agencies. The act also reformed court practices and established procedures intended to improve interactions between the court and social service agencies in the District. One such agency, the Child and Family Services Agency (CFSA), is responsible for protecting children at risk of abuse and neglect and ensuring that services are provided for them and their families. Both social service agencies and the courts play an important role in addressing child welfare issues.

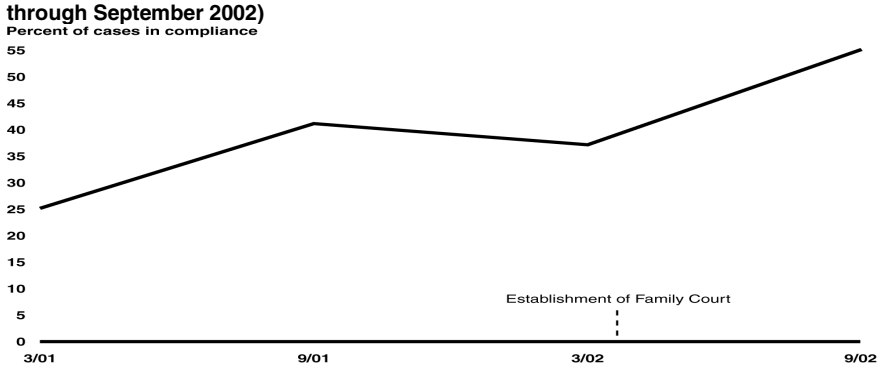
Representative Tom Davis, Chairman of the House Committee on Government Reform, asked GAO to assess the Family Court's efforts to comply with ASFA requirements and the D.C. Family Court Act of 2001, and its efforts to improve communication with CFSA.

www.gao.gov/cgi-bin/getrpt?GAO-GAO-04-685T.
To view the full product, including the scope and methodology, click on the link above. For more information, contact Cornelia M. Ashby at (202) 512-8403 or Ashbyc@gao.gov.

What GAO Found

The Family Court met timeframes for transferring cases and decreased the timeframes for resolving abuse and neglect cases. As of October 2003, only 34 of the approximately 3,500 cases that were to be transferred to the Family Court from other divisions of the Superior Court remained outside the Family Court. For children removed from their homes, the median days to begin disposition hearings declined by 202 days to 39 days, or about 84 percent between 2001 and 2003. However, the Family Court has not met the ASFA requirement to hold permanency hearings within 12 months of a child's placement in foster care for all cases. Timely permanency hearings were held for 25 percent of cases in March 2001 and 55 percent in September 2002.

Percent of Cases Complying with ASFA's Permanency Hearing Requirement (March 2001 through September 2002)



Source: Council for Court Excellence.

Support from Family Court judges and top CFSA management has been a key factor in improving the working relationship between CFSA and the Family Court. However, Family Court judges and CFSA officials noted several hindrances that constrain their working relationship. For example, some CFSA caseworkers said that some Family Court judges overruled their service recommendations.

Progress has also been made in acquiring permanent space for the Family Court and exchanging data with District agencies. According to the Chief Judge of the Superior Court, all public functions of the Family Court and 76 percent of the support functions will be consolidated in the new space. The construction project is scheduled for completion in 2009 and will require timely renovations in existing court buildings. To comply with the D.C. Family Court Act of 2001, the Superior Court and the District are exchanging some data and making progress toward developing the ability to exchange other data. In August 2003, the Superior Court began using a new computer system and is providing CFSA with information on scheduled court proceedings. Further, the District has developed a model to enable the exchange of data among several District agencies, but it has not yet resolved many critical systems issues.

Mr. Chairman and Members of the Committee:

I am pleased to be here today to assist the Committee in its oversight of operations and case management at the D.C. Family Court (Family Court). The D.C. Family Court Act of 2001[1] created the Family Court in part to transition the former Family Division of the D.C. Superior Court into a court solely dedicated to matters concerning children and families. Child abuse and neglect, juvenile delinquency, domestic violence, and child support are some of the issues that fall under the jurisdiction of the Family Court. To assist the Family Court in handling such matters, the D.C. Family Court Act of 2001 included authorization for the Family Court to hire associate judges and magistrate judges[2] with expertise in family law and required that the Family Court develop a transition plan to transfer all family-related cases from other divisions of the Superior Court into the Family Court and implement various case management practices to expedite their resolution in accordance with timeframes established by the Adoption and Safe Families Act of 1997(ASFA). [3] The D.C. Family Court Act of 2001 also required that the Superior Court integrate its computer system with those of relevant District agencies to share information regarding children and families.

My testimony will focus on the Family Court's timeliness in transferring family-related cases from other divisions of the Superior Court to the Family Court and in meeting ASFA timeframes for resolving abuse and neglect cases, and the working relationship between the Family Court and D.C. Child and Family Services Agency (CFSA). I will also discuss two related, but longer-term efforts—the acquisition of permanent physical space for the Family Court and the sharing of data between the Superior Court and District agencies.

My comments today are based primarily on our January 2004 congressionally mandated report on the Family Court's progress in

[1]Pub. L. No. 107-114, Jan. 8, 2002.

[2]In the Family Court, magistrate judges have authority to preside over several proceedings, including abuse and neglect and matters related to child support orders. Family Court associate judges preside over matters such as trials involving juveniles, adoptions, and other proceedings.

[3]ASFA establishes specific timeframes for making permanent living arrangements for children removed from their homes.

implementing its transition.[4] In doing the work for that report, we analyzed data provided by the Family Court on the status of child abuse and neglect cases transferred into the Family Court from judges presiding elsewhere in the Superior Court and the Family Court's timeliness in resolving these and other abuse and neglect cases. We also reviewed documents regarding the acquisition of permanent physical space for the Family Court and documents related to integrating the computer systems of the Superior Court and the District and interviewed relevant District, Superior Court, and Family Court officials as well as child welfare and court experts. For that report and this testimony, we focused on abuse and neglect cases because of congressional interest and the former Family Division's past problems in handling such cases. We conducted our work for the January 2004 report between April and December 2003 in accordance with generally accepted government auditing standards. My comments on the working relationship between the Family Court and CFSA are based on interviews we had with Family Court judges and CFSA executives, managers, and supervisors for the report that we issued in May 2003, at the request of this committee, on CFSA's performance.[5] We conducted our work for that report between September 2002 and May 2003 in accordance with generally accepted government auditing standards.

In summary, the Family Court has made progress in complying with the child welfare provisions of the D.C. Family Court Act of 2001. The Family Court met established timeframes for transferring cases into the Family Court and decreased the timeframes for resolving abuse and neglect cases. As of October 2003, only 34 of approximately 3,500 cases that were to be transferred to the Family Court from other divisions of the Superior Court remained outside the Family Court and had not been closed. Similarly, the working relationship between the Family Court and CFSA has improved. Support from Family Court judges and top CFSA management has been a key factor in this improvement; however, Family Court judges and CFSA officials noted several hindrances that constrain their working relationship. Further, progress has been made in the procurement of permanent space for the Family Court, and the Superior Court and the District are exchanging some data and making progress toward developing

[4]See U.S. General Accounting Office, *D.C. Family Court: Progress Has Been Made in Implementing Its Transition*, GAO-04-234 (Washington, D.C.: January 6, 2004).

[5]See U.S. General Accounting Office, *D.C. Child and Family Services: Better Policy Implementation and Documentation of Related Activities Would Help Improve Performance*, GAO-03-646 (Washington, D.C.: May 27, 2003).

a broader capability to exchange data from their respective information systems to comply with the D.C. Family Court Act of 2001.

Background

The D.C. Family Court Act of 2001 fundamentally changed the way the Superior Court handled its family cases. One of the central organizing principles for establishing the Family Court was the one family/one judge case management concept, whereby the same judge handles all matters related to one family. To support the implementation of the Family Court a total of about $30 million in federal funds was budgeted to fund the Family Court's transition from fiscal years 2002 through 2004.

Several federal and District laws set timeframes for handling abuse and neglect proceedings. The D.C. Family Court Act of 2001, which consolidated all abuse and neglect cases in the Family Court, required that all pending abuse and neglect cases assigned to judges outside the Family Court be transferred to the Family Court by October 2003. Additionally, ASFA requires each child to have a permanency hearing within 12 months of the child's entry into foster care, defined as the earlier of the following two dates: (1) the date of the first judicial finding that the child has been subjected to child abuse or neglect or (2) the date that is 60 days after the date on which the child is removed from the home. The purpose of the permanency hearing is to decide the goal for where the child will permanently reside and set a timetable for achieving the goal. Permanency may be accomplished through reunification with a parent, adoption, guardianship, or some other permanent placement arrangement. To ensure that abuse and neglect cases are properly managed, the Council for Court Excellence, at the request of Congress, evaluates Family Court data on these cases.[6]

It is important that District social service agencies and the Family Court receive and share information they need on the children and families they serve. For example, CFSA caseworkers need to know from the court the status of a child's case, when a hearing is scheduled, and a judge's ruling. The Family Court needs case history information from caseworkers, such as whether services have been provided and if there is evidence of abuse or neglect. According to District officials, current plans to exchange

[6]The Council for Court Excellence is a nonprofit, nonpartisan, civic organization that works to improve the administration of justice in the local and federal courts and related agencies in the Washington, D.C. metropolitan area and in the nation.

information between the Superior Court and District agencies and among District agencies are estimated to cost about $66 million, of which about $22 million would support initiatives outlined in the Mayor's plan issued in July 2002.[7] According to District officials, about $36 million of the $66 million would come from capital funds that are currently available; however, they would need to seek additional funding for the remaining $30 million. The Superior Court's total cost for the system it is using to help the Court better manage its caseload and automate the exchange of data with District agencies—the Integrated Justice Information System (IJIS)—is expected to be between $20 million and $25 million, depending on the availability of funds for project-related infrastructure improvements and other project initiatives. Funding for this project is being made available through the capital budget of the D.C. Courts, which is comprised of all components of the District's judiciary branch.

The Court Was Timely in Transferring Cases and Conducting Other Court Proceedings

The Family Court met established timeframes for transferring cases into the Family Court and decreased the timeframes for resolving abuse and neglect cases. While the D.C. Family Court Act of 2001 generally required the transfer of abuse and neglect cases to the Family Court by October 2003, it also permitted judges outside the Family Court to retain certain abuse and neglect cases provided that their retention of cases met criteria specified in the D.C. Family Court Act of 2001. Specifically, these cases were to remain at all times in full compliance with ASFA, and the Chief Judge of the Superior Court must determine that the retention of the case would lead to a child's placement in a permanent home more quickly than if the case were to be transferred to a judge in the Family Court.

In its October 2003 progress report on the implementation of the Family Court, the Superior Court reported that it had transferred all abuse and neglect cases back to the Family Court, with the exception of 34 cases, as shown in table 1.[8] The Chief Judge of the Superior Court said that, as of August 2003, a justification for retaining an abuse and neglect case outside the Family Court had been provided in all such cases. According to the

[7] *Supporting the Vision: Mayor's Plan to Integrate the District of Columbia's Social Services Information Systems with the Family Court of the D.C. Superior Court*, July 8, 2002.

[8] The Superior Court completed an initial transfer of 1,554 abuse and neglect cases to the Family Court in June 2002 and began transferring the additional abuse and neglect cases outside the Family Court in November 2002.

Superior Court, the principal reason for retaining abuse and neglect cases outside the Family Court was a determination made by non-Family Court judges that the cases would close before December 31, 2002, either because the child would turn 21, and thus no longer be under court jurisdiction, or because the case would close with a final adoption, custody, or guardianship decree. In the court's October 2003 progress report, it stated that the cases remaining outside the Family Court involve children with emotional or educational disabilities.

Table 1: Status of Abuse and Neglect Cases (Oct. 2003)

Status of Cases	Number of cases	Percent of cases
Cases transferred to Family Court judges	3,255	94
Cases retained by judges outside the Family Court and closed	182	5
Cases retained by judges outside the Family Court and not closed	34	1
Total	**3,471**	**100**

Source: D.C. Superior Court.

While the Superior Court reported that 4 of the 34 abuse and neglect cases remaining outside the Family Court had closed subsequent to its October 2003 progress report, children in the remaining 30 cases had not yet been placed in permanent living arrangements. On average, children in these 30 cases are 14 years of age and have been in foster care for 8 years, nearly three times the average number of years in care for a child in the District. Table 2 provides additional information on the characteristics of the 30 cases that remained outside the Family Court as of November 2003.

Table 2: Characteristics of Abuse and Neglect Cases Remaining Outside the Family Court (Nov. 2003)

Permanency goal	Number of cases (percent)	Average age of child	Average number of years in care
Alternative plan[a]	16 (53)	18	10
Adoption	11 (37)	9	5
Reunification	3 (10)	16	10
Total for all cases	**30 (100)**	**14**	**8**

Source: D.C. Superior Court and GAO analysis.

[a]Alternative plans include permanency goals other than reunification, adoption, custody, and guardianship, such as independent living.

The Superior Court also reported that the Family Court had closed 620 of the 3,255 transferred cases, or 19 percent. Among the transferred cases closed by the Family Court, 77 percent of the 620 cases closed when the permanency goal was achieved following reunification of the child with a parent, adoption, guardianship, or custody of the child by a designated family member or other individual. In most of the remaining transferred cases that had closed, the child had reached the age of majority, or 21 years of age in the District. Table 3 summarizes the reasons for closing abuse and neglect cases transferred to the Family Court, as of October 2003.

Table 3: Frequency of Reasons for Closing Abuse and Neglect Cases Transferred to the Family Court (Oct. 2003)

Reason for case closure	Number of cases	Percent of cases
Permanency goal achieved		
Reunification	210	34
Adoption	174	28
Guardianship	52	8
Custody	42	7
Child reached age of majority (21 years old)	79	13
Emancipated child[a]	43	7
Court case closed/continued for CFSA services[b]	15	2
Child deceased	5	1
Total	**620**	**100**

Source: D.C. Superior Court.

[a]An emancipated child is a youth who no longer wants, or who refuses to accept, services.

[b]Includes cases in which the court has reached an agreement with CFSA to continue the provision of services after the court case is closed.

In addition to transferred cases, the Family Court is responsible for the routine handling of all newly filed cases. For alleged cases of abuse and neglect, complainants file a petition with the Family Court requesting a review of the allegation. After the filing of the petition, the Family Court holds an initial hearing in which it hears and rules on the allegation. Following the initial hearing, the court may resolve the case through mediation or through a pretrial hearing. [9] Depending on the course of action that is taken and its outcome, several different court proceedings may follow to achieve permanency for children, thereby terminating the court's jurisdiction. Family Court abuse and neglect proceedings include several key activities, such as adjudication, disposition,[10] and permanency[11]

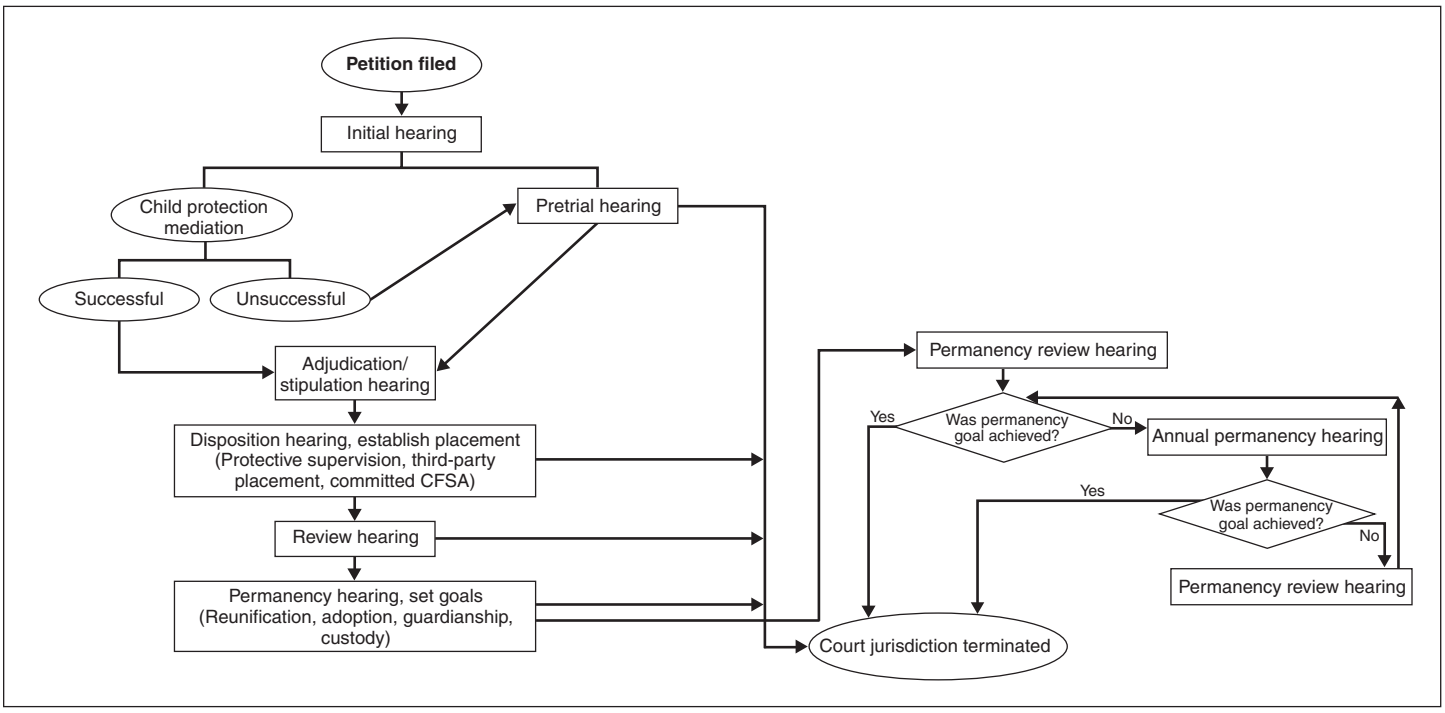
[9]Mediation procedures, involving judges, family members, attorneys, and others, attempt to mitigate alleged matters of abuse and neglect cases before conducting subsequent court proceedings. The court conducts periodic review hearings on the status of abuse and neglect cases.

[10]Adjudication hearings determine whether allegations of abuse or neglect are sustained by the evidence and disposition hearings establish where a child will be placed.

[11]The District, like ASFA, requires that permanency hearings be held within 12 months of a child's placement in foster care.

hearings. Figure 1 shows the flow of abuse and neglect cases through the various case activities handled by the D.C. Family Court.

Figure 1: D.C. Family Court Steps for Managing Child Abuse and Neglect Cases



Source: D.C. Superior Court.

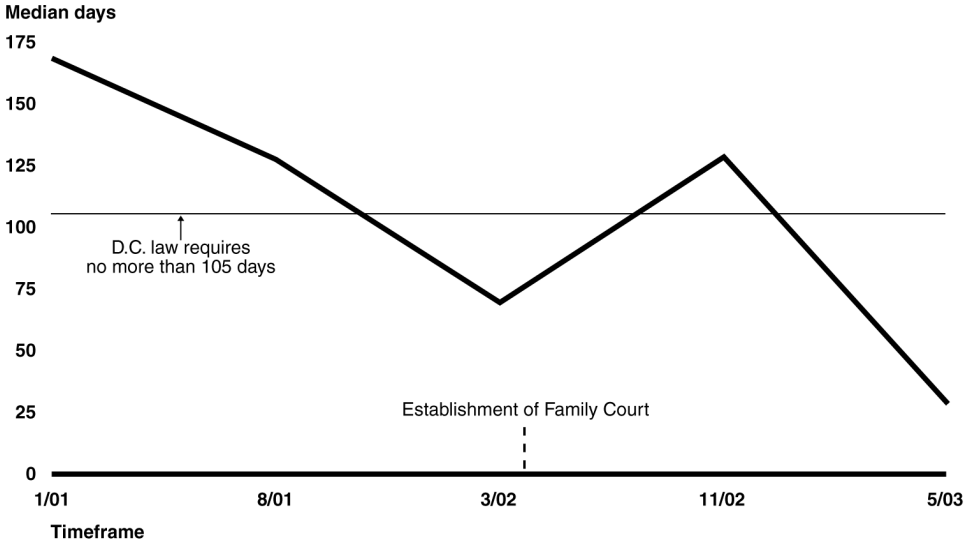
Data provided by the court show that in the last 2 years there has been a decrease in the amount of time to begin an adjudication hearing[12] for children in abuse and neglect cases. Figure 2 shows median times to begin hearings for children removed from their homes and for children not removed from their homes. As required by District law, the court must begin the hearing within 105 days for children removed from their homes and within 45 days for children not removed from their homes. Between 2001 and 2003, the median time to begin adjudication hearings in cases when a child was removed from home declined by 140 days to 28 days, or about 83 percent. Similarly, the decline in timeframes to begin hearings was about as large in cases when children remained in their homes. In

[12]These hearings are also known as stipulation hearings.

these cases, median timeframes declined by about 90 percent during this same period to 12 days. While the reduction in timeframes for these hearings began prior to the establishment of the Family Court, median days to begin hearings for children removed from their homes increased immediately following the court's establishment before declining again. According to two magistrate judges, the increase in timeframes immediately following establishment of the Family Court was attributable to the volume and complexity of cases initially transferred to it.

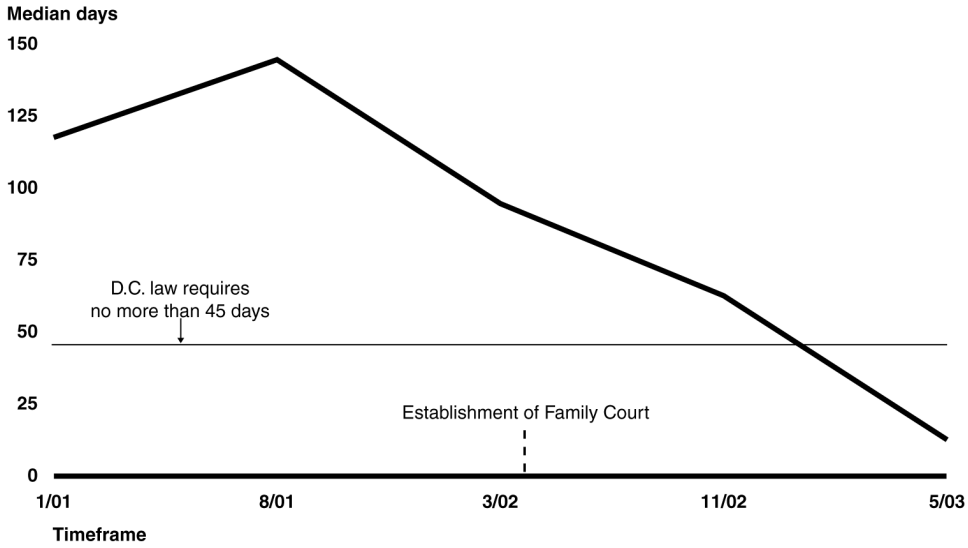
Figure 2: Median Days to Begin Adjudication Hearings for Children Removed and Not Removed from Home, January 2001 through May 2003

Children removed



Source: D.C. Superior Court.

Children not removed

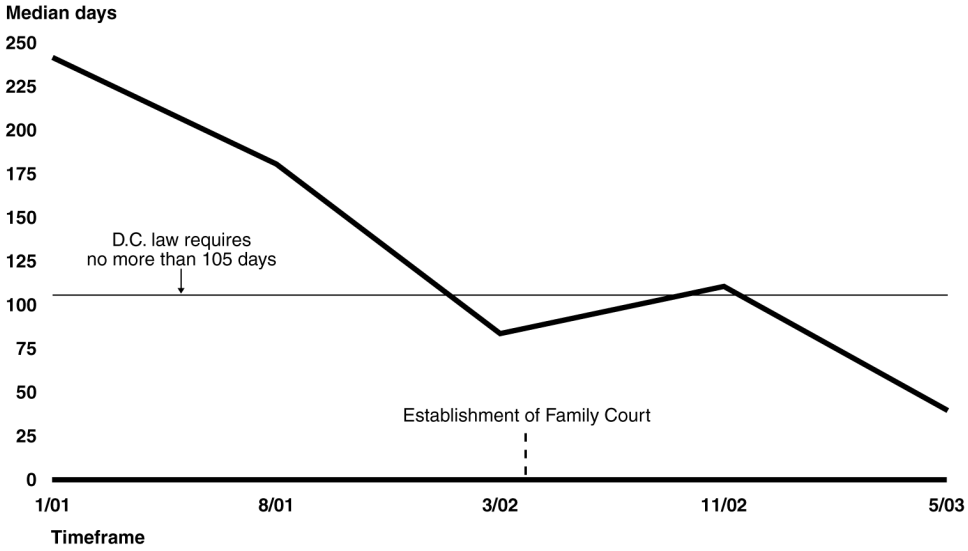


Source: D.C. Superior Court.

Similarly, timeframes to begin disposition hearings, a proceeding that occurs after the adjudication hearing and prior to permanency hearings, declined between 2001 and 2003, as shown in figure 3. As required by District law, the court must begin disposition hearings within 105 days for children removed from their homes and within 45 days for children not removed from their homes. The median days to begin disposition hearings for children removed from their homes declined by 202 days to 39 days, or about 84 percent, between 2001 and 2003. The median days to begin disposition hearings for children not removed from their homes declined by 159 days to 42 days, or about 79 percent. Therefore, the Superior Court is also within the timeframes required by D.C. law for these hearings. While the decline in the timeframes for disposition hearings began prior to the Family Court, according to two magistrate judges we interviewed, the time required to begin these hearings increased in the 7-month period following the establishment of the Family Court because of the complexity of these cases.

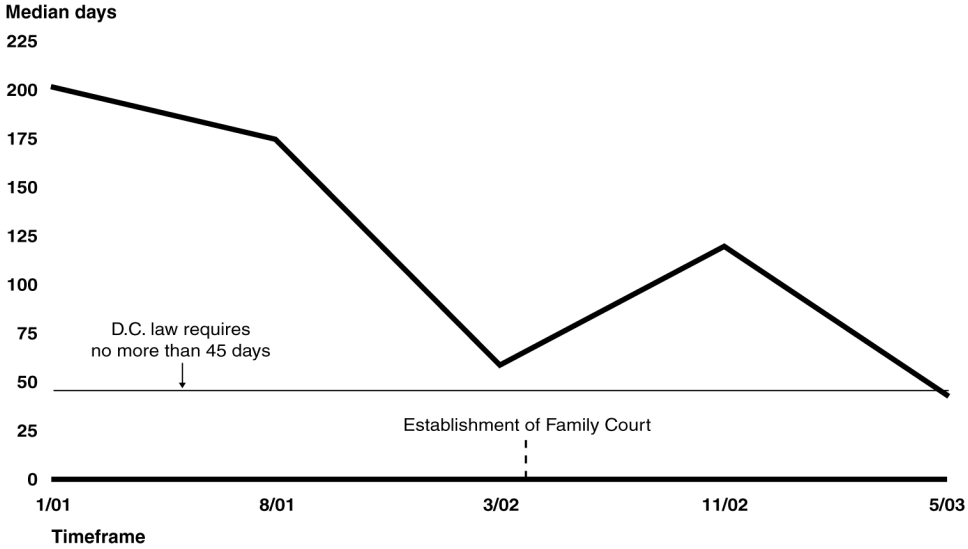
Figure 3: Median Days to Disposition for Children Removed and Not Removed from Home, January 2001 through May 2003

Children removed



Source: D.C. Superior Court.

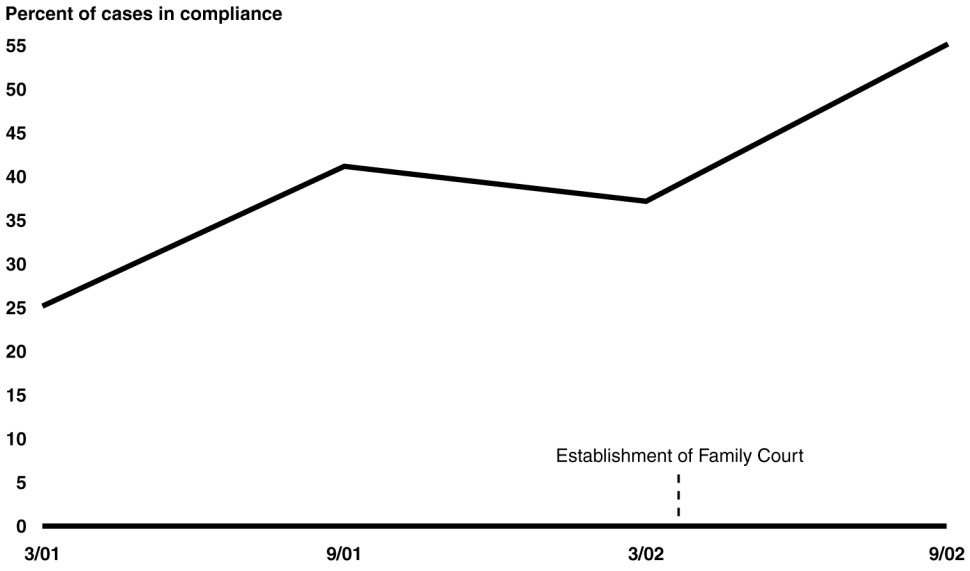
Children not removed



Source: D.C. Superior Court.

Despite declines in timeframes to begin adjudication and disposition hearings, the Family Court has not achieved full compliance with the ASFA requirement to hold permanency hearings within 12 months of a child's placement in foster care. The percentage of cases with timely permanency hearings increased from 25 percent in March 2001 to 55 percent in September 2002, as shown in figure 4.[13]

Figure 4: Percent of Cases in Compliance with ASFA's Permanency Hearing Requirement, March 2001 through September 2002



Source: Council for Court Excellence.

Note: These data on ASFA compliance apply to cases filed in 2000 and 2001 for which 12 months had expired since the time the child was placed in foster care.

Although the presence of additional magistrate judges, primarily hired to handle cases transferred into the Family Court from other divisions and to improve the court's timeliness in handling its cases, has increased the Family Court's ability to process additional cases in a timelier manner, court officials said that other factors have also improved the court's

[13]In commenting on a draft of our January 2004 report, the Superior Court reported an 84 percent rate of compliance with ASFA's permanency hearing requirement for cases filed between January and June 2002. However, we did not use this court-reported data in reporting the court's compliance with ASFA because neither GAO nor the Council for Court Excellence had verified these data. In reporting the information in figure 4, the Council for Court Excellence verified automated case data with information contained in the paper case file.

timeliness. These factors included reminders to judges of upcoming permanency hearing deadlines and the use of uniform court order forms.

However, other factors continue to impede the Family Court's full achievement of ASFA compliance. Some Family Court judges have questioned the adequacy of federal ASFA timelines for permanency, citing barriers external to the court, which increase the time required to achieve permanency. Among these external barriers are lengthy waits for housing, which might take up to a year, and the need for parents to receive mental health services or substance abuse treatment before they can reunite with the child. From January through May 2003, Family Court judges reported that parental disabilities, including emotional impairments and treatment needs, most often impeded children's reunification with their parents. In nearly half of these reported instances, the parent needed substance abuse treatment. Procedural impediments to achieving reunification included the lack of sufficient housing to fully accommodate the needs of the reunified family. With regard to adoption and guardianship, procedural impediments included the need to complete administrative requirements associated with placing children with adoptive families in locations other than the District. Financial impediments to permanency included insufficient adoption or guardianship subsidies. Table 4 provides additional details on impediments to achieving permanency goals.

Table 4: Impediments to Permanency by Current Permanency Goal, January through May 2003

Barriers to permanency	Current permanency goal (percent of hearings in which barrier impeded permanency)[a]						
	Reunification	**Adoption**	**Guardianship**	**Custody**	**Alternative plan[b]**	**Goal not designated**	**Total hearings**
Permanency options declined	8 (1)	19 (1)	3 (0)	0 (0)	101 (10)	2 (4)	**133 (3)**
Disabilities (child)	340 (24)	313 (19)	96 (11)	8 (11)	409 (39)	12 (23)	**1,178 (23)**
Disabilities (parent/ caretaker)	531 (37)	36 (2)	54 (6)	8 (11)	19 (2)	4 (8)	**652 (13)**
Procedural impediments	205 (14)	824 (51)	456 (52)	45 (59)	12 (1)	15 (28)	**1,557 (30)**
Agency impediments	32 (2)	193 (12)	57 (7)	8 (11)	28 (3)	1 (2)	**319 (6)**
Financial impediments	1 (0)	78 (5)	91 (10)	0 (0)	0 (0)	3 (6)	**173 (3)**
Legal impediments	19 (1)	14 (1)	12 (1)	3(4)	23 (2)	1 (2)	**72 (1)**
Other circumstances	305 (21)	148 (9)	107 (12)	4 (5)	466 (44)	15 (28)	**1,045 (20)**
Total[c]	**1,441(100)**	**1,625 (100)**	**876 (99)**	**76 (101)**	**1,058 (101)**	**53 (101)**	**5,129 (99)**

Source: D.C. Superior Court.

[a]Associate and magistrate judges reported barriers to specified permanency goals using a questionnaire distributed by the Family Court. Judges reported information on barriers to permanency in 74 percent of the hearings held between January and May 2003.

[b]Alternative plans include permanency goals other than reunification, adoption, custody, and guardianship, such as independent living.

[c]All percentages do not add to 100 due to rounding error.

Associate judges we interviewed cited additional factors that impeded the achievement of the appropriate foster care placements and timely permanency goals. For example, one judge said that the District's Youth Services Administration inappropriately placed a 16-year old boy in the juvenile justice system because CFSA had not previously petitioned a neglect case before the Family Court. As a result, the child experienced a less appropriate and more injurious placement in the juvenile justice system than what the child would have experienced had he been appropriately placed in foster care. In other cases, an associate judge has had to mediate disputes among District agencies that did not agree with court orders to pay for services for abused and neglected children, further complicating and delaying the process for providing needed services and achieving established permanency goals.

To assist the Family Court in its management of abuse and neglect cases, the Family Court transition plan required magistrate judges to preside over abuse and neglect cases transferred from judges in other divisions of the Superior Court, and these judges absorbed a large number of those cases.

In addition, magistrate judges, teamed with associate judges under the one family/one judge concept, had responsibility for assisting the Family Court in resolving all new abuse and neglect cases. Both associate and magistrate judges cited other factors that have affected the court's ability to fully implement the one family/one judge concept and achieve the potential efficiency and effectiveness that could have resulted. For example, the Family Court's identification of all cases involving the same child depends on access to complete, timely, and accurate data in IJIS. In addition, Family Court judges said that improvements in the timeliness of the court's proceedings depends, in part, on the continuous assignment of the same caseworker from CFSA to a case and sufficient support of an assigned assistant corporation counsel from the District's Office of Corporation Counsel. Family Court judges said the lack of consistent support from a designated CFSA caseworker and lack of Assistant Corporation counsels, have in certain cases, prolonged the time required to conduct court proceedings.

In addition, several judges and court officials told us that they do not have sufficient support personnel to allow the Family Court to manage its caseload more efficiently. For example, additional courtroom clerks and court aids could improve case flow and management in the Family Court. These personnel are needed to update automated data, prepare cases for the court, and process court documentation. Under contract with the Superior Court, Booz Allen Hamilton analyzed the Superior Court's staffing resources and needs; this evaluation[14] found that the former Family Division, now designated as the Family Court, had the highest need for additional full-time positions to conduct its work. Specifically, the analysis found that the Family Court had 154 of the 175 full-time positions needed, or a shortfall of about 12 percent. Two branches—juvenile and neglect and domestic relations—had most of the identified shortfall in full-time positions. In commenting on a draft of the January 2004 report, the Superior Court said that the Family Court, subsequent to enactment of the D.C. Family Court Act of 2001, hired additional judges and support personnel in excess of the number identified as needed in the Booz Allen Hamilton study to meet the needs of the newly established Family Court. However, several branch chiefs and supervisors we interviewed said the Family Court still needed additional support personnel to better manage its caseload.

[14]*District of Columbia Courts: Phase I Final Report*, Booz Allen Hamilton (Washington, D.C.: June 25, 2002).

The Superior Court has decided to conduct strategic planning efforts and re-engineer business processes in the various divisions prior to making the commitment to hire additional support personnel. According to the Chief Judge of the Superior Court, intervening activities, such as the initial implementation of IJIS and anticipated changes in the procurement of permanent physical space for the Family Court, have necessitated a reassessment of how the court performs its work and the related impact of its operations on needed staffing. In September 2003, the Superior Court entered into another contract with Booz Allen Hamilton to reassess resource needs in light of the implementation of the D.C. Family Court Act of 2001. According to the Chief Judge of the Superior Court as of April 19, 2004, a final report on these resource needs had not been issued.

The Family Court and CFSA Have Improved Their Working Relationship, but Hindering Factors Still Exist

The working relationship between the Family Court and CFSA has improved; however, Family Court judges and CFSA officials noted several hindrances that constrain their working relationship. They have been working together to address some of these hindrances. For example, the Family Court and CFSA participate in various planning meetings. In addition, Family Court judges and CFSA caseworkers have participated in training sessions together. These sessions provide participants with information about case management responsibilities and various court proceedings, with the intent of improving and enhancing their mutual understanding about key issues. Also, since 2002, Office of Corporation Counsel attorneys have been located at CFSA and work closely with caseworkers—an arrangement that has improved the working relationship between CFSA and the Family Court because the caseworkers and the attorneys are better prepared for court appearances. Further, the Family Court and CFSA communicate frequently about day-to-day operations as well as long-range plans involving foster care case management and related court priorities, and on several occasions expressed their commitment to improving working relationships. To help resolve conflicts about ordering services, Family Court judges and CFSA caseworkers have participated in sessions during which they share information about their respective concerns, priorities, and responsibilities in meeting the needs of the District's foster care children and their families.

Additionally, CFSA assigned a liaison representative to the Family Court who is responsible for working with other District agency liaison representatives to assist social workers and case managers in identifying and accessing court-ordered services for children and their families at the Family Court. The D.C. Family Court Act of 2001 required the District's Mayor to ensure that representatives of appropriate offices, which provide

social services and other related services to individuals and families served by the Family Court, are available on-site at the Family Court to coordinate the provision of such services.[15] A monthly schedule shows that CFSA, the D.C. Department of Health, the D.C. Housing Authority, the D.C. Department of Mental Health, Youth Services Administration, and the D.C. Public Schools have representatives on-site. [16] However, the Department of Human Services, the Metropolitan Police Department, and the Income Maintenance Administration are not on-site but provide support from off-site locations. According to data compiled by the liaison office, from February 2003 to March 2004, the office made 781 referrals for services. Of these referrals, 300 were for special education services, 127 were for substance abuse services and 121 were related to housing needs.

Hindrances that constrain the working relationship between the Family Court and CFSA include the need for caseworkers to balance court appearances with other case management duties, an insufficient number of caseworkers, caseworkers who are unfamiliar with cases that have been transferred to them, and differing opinions about the responsibilities of CFSA caseworkers and judges. For example, although CFSA caseworkers are responsible for identifying and arranging services needed for children and their families, some caseworkers said that some Family Court judges overruled their service recommendations. Family Court judges told us that they sometimes made decisions about services for children because they believe caseworkers did not always recommend appropriate ones or provide the court with timely and complete information on the facts and circumstances of the case. Furthermore, the Presiding Judge of the Family Court explained that it was the judges' role to listen to all parties and then make the best decisions by taking into account all points of view.

[15]The D.C. Family Court Act of 2001 states that these agencies are to include the D.C. Public Schools, the D.C. Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor.

[16]CFSA and the D.C. Department of Health have representatives on-site at the liaison office 5 days a week and the other offices have representatives on-site at least 2 days a week.

Progress Has Been Made in Procuring Permanent Physical Space for the Family Court, but the New Space Will Not Consolidate All Court Operations

The D.C. Courts, comprised of all components of the District's judiciary branch, has made progress in procuring permanent space for the Family Court, but all Family Court operations will not be consolidated under the current plan. To prepare space for the new Family Court, the D.C. Courts designated and redesigned space for the Family Court, constructed chambers for the new magistrate judges and their staff, and relocated certain non-Family Court-related components in other buildings, among other actions.

The first phase of the Family Court construction project, scheduled for completion in July 2004, will consolidate Family Court support services and provide additional courtrooms, hearing rooms, and judges' chambers. In addition, the project will provide an expanded Mayor's Liaison Office, which coordinates Family Court services for families and provides families with information on such services, and a new family waiting area, among other facilities.

However, completion of the entire Family Court construction project, scheduled for late 2009, will require the timely completion of renovations in several court buildings located on the Judiciary Square Campus. Because of the historic nature of some of these buildings, the Superior Court must obtain necessary approvals for exterior modifications from various regulatory authorities, including the National Capital Planning Commission. In addition, some actions may require environmental assessments and their related formal review process.

While many of the Family Court operations will be consolidated in the new space, several court functions will remain in other areas. According to the Chief Judge of the Superior Court, the new space will consolidate all public functions of the Family Court and 76 percent of the support functions and associated personnel. The current Family Court space plan is an interim plan leading to a larger plan, intended to fully consolidate all Family Court and related operations in one location, for which the D.C. Courts has requested $6 million for fiscal year 2005 to design Family Court space and $57 million for fiscal year 2006 to construct court facilities. If the D.C. Courts does not receive funding for the larger Family Court space plan, it will continue with the current interim plan.

The Superior Court and the District Are Making Progress Toward Exchanging Data among Their Computer Systems, but the District Has Not Resolved Several Critical Issues

The Superior Court and the District of Columbia are exchanging some data and making progress toward developing a broader capability to share data among their respective information systems.[17] In August 2003, the Superior Court began using IJIS to automate the exchange of data with District agencies, such as providing CFSA and the Office of the Corporation Counsel with information on the date, time, and location of scheduled court proceedings. CFSA managers said that scheduling of court hearings has improved. Scheduling information allows caseworkers to plan their case management duties such that they do not conflict with court appearances. Further, the District's Office of the Chief Technology Officer (OCTO), responsible for leading the information technology development for the District's data exchange effort, has developed a prototype, or model, to enable the exchange of data among the police department, social service agencies, and the Superior Court.

While the District has made progress, it has not yet fully addressed or resolved several critical issues we reported in August 2002.[18] These issues include the need to specify the integration requirements of the Superior Court and District agencies and to resolve privacy restrictions and data quality issues among District agencies. The District is preparing plans and expects to begin developing a data sharing capability and data warehouses to enable data sharing among CFSA, the Department of Human Services' Youth Services Administration, the Department of Mental Health, and the Family Court in 2004. According to the Program Manager, OCTO will work to resolve the issues we raised in our August 2002 report and incorporate the solutions into its plans.

Conclusions

While the Superior Court, the Family Court, and the District have made progress in implementing the D.C. Family Court Act of 2001, several issues continue to affect the court's progress in meeting all requirements of the act. Several barriers, such as a lack of substance abuse services, hinder the

[17]The D.C. Family Court Act of 2001 lists six District offices that the Mayor's plan was to include with respect to accessing and sharing information on individuals and families served by the Family Court: the D.C. Public Schools, D.C. Housing Authority, Child and Family Services Agency, Office of the Corporation Counsel, Metropolitan Police Department, and Department of Health. In addition, the Mayor determined that the plan should also include the Department of Human Services and Department of Mental Health.

[18] See U.S. General Accounting Office, *District of Columbia: More Details Needed on Plans to Integrate Computer Systems with the Family Court and Use Federal Funds*, GAO-02-948 (Washington, D.C.: August 7, 2002).

court's ability to more quickly process cases. While the Superior Court and the District have made progress in exchanging information and building a greater capability to perform this function, it remains paramount that their plans fully address several critical issues we previously reported and our prior recommendations. Finally, while progress has been made in enhancing the working relationship between the Family Court and CFSA, this is an area that requires continuous vigilance and improvement in order to ensure the safety and well being of the District's children and families.

Mr. Chairman, this concludes my prepared statement. I will be happy to respond to any questions you or other members of the committee may have.

GAO Contact and Acknowledgments

For further information regarding this testimony, please contact Cornelia M. Ashby at (202) 512-8403. Individuals making key contributions to this testimony include Carolyn M. Taylor, Anjali Tekchandani, and Mark E. Ward.

Related GAO Products

D.C. Family Court: Progress Has Been Made in Implementing Its Transition. GAO-04-234. Washington, D.C.: January 6, 2004.

D.C. Child and Family Services: Better Policy Implementation and Documentation of Related Activities Would Help Improve Performance. GAO-03-646. Washington, D.C.: May 27, 2003.

D.C. Child and Family Services: Key Issues Affecting the Management of Its Foster Care Cases. GAO-03-758T. Washington, D.C.: May 16, 2003.

District of Columbia: Issues Associated with the Child and Family Services Agency's Performance and Policies. GAO-03-611T. Washington, D.C.: April 2, 2003.

District of Columbia: More Details Needed on Plans to Integrate Computer Systems With the Family Court and Use Federal Funds. GAO-02-948. Washington, D.C.: August 7, 2002.

Foster Care: Recent Legislation Helps States Focus on Finding Permanent Homes for Children, but Long-Standing Barriers Remain. GAO-02-585. Washington, D.C.: June 28, 2002.

D. C. Family Court: Progress Made Toward Planned Transition and Interagency Coordination, but Some Challenges Remain. GAO-02-797T. Washington, D.C.: June 5, 2002.

D. C. Family Court: Additional Actions Should Be Taken to Fully Implement Its Transition. GAO-02-584. Washington, D.C.: May 6, 2002.

D. C. Family Court: Progress Made Toward Planned Transition, but Some Challenges Remain. GAO-02-660T. Washington, D.C.: April 24, 2002.

D. C. Courts: Disciplined Processes Critical to Successful System Acquisition. GAO-02-316. Washington, D.C.: February 28, 2002.

District of Columbia Child Welfare: Long-Term Challenges to Ensuring Children's Well-Being. GAO-01-191. Washington, D.C.: December 29, 2000.

Foster Care: Status of the District of Columbia's Child Welfare System Reform Efforts. GAO/T-HEHS-00-109. Washington, D.C.: May 5, 2000.

Foster Care: States' Early Experiences Implementing the Adoption and Safe Families Act. GAO/HEHS-00-1. Washington, D.C.: December 22, 1999.

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